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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CHEVRON CORPORATION,

Plaintiff,

- against -

STEVEN DONZIGER, et al.,

Defendants.
-----X

11 CV 691 (LAK)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This Court scheduled a hearing for August 7, 2019 to address the question of whether Defendant Donziger has purged his contempt of Paragraph 4 of the Forensic Inspection Protocol governing Donziger's identification of electronic devices, online social media and email accounts he has used since 2012.

On August 5, 2019, Donziger filed a letter requesting that the hearing be adjourned because he now faces criminal contempt charges in regard to Paragraph 4 and because he would like a three-week period to try to find counsel who will represent him or otherwise request appointment of counsel for him. Chevron opposes.

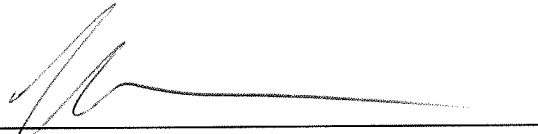
As Chevron correctly points out, the issue to be addressed in the hearing – whether Donziger has purged his contempt for non-compliance with Paragraph 4 since filing of his declaration on May 29, 2019, is a different question than whether Donziger is to be held in criminal contempt for his non-compliance prior May 29, 2019.

That said, the Court agrees with Donziger that despite the difference in the specific issue to be addressed, there are common questions underlying them, and Donziger's

answers to questions on cross-examination regarding whether he has purged his contempt could well be relevant to questions in a criminal contempt hearing addressing whether he failed to comply in an earlier period.

Accordingly, the August 7, 2019 hearing is adjourned until a date to be determined by cooperation of the parties with my Courtroom Deputy, such date to be no earlier than September 16, 2019 (thus providing Donziger with a three-week period to try to obtain counsel, and a two-week-plus period beyond that in the event he is successful in that effort).

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', is written over a horizontal line.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: August 6, 2019
New York, New York

Copies transmitted to all counsel of record
and Steven R. Donziger (by ECF)